



02-19-03

#23  
CPA 1/16/00  
#1

PTO/SB/29 (10-00)

**CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL**Submit an original, and a duplicate for fee processing  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))CHECK BOX if applicable  
☐ DUPLICATE

Address to:  Assistant Commissioner of Patents Box CPA Washington, DC 20231	Attorney Docket No of Prior Application.	0769-0420-0X
	First Named Inventor	Martha A. Warpehoski
	Examiner Name	Liu, Hong
	Group / Art Unit	1624
	Express Mail Label No.	EL 357-888-025 US

**RECEIVED**

FEB 21 2003

TECH CENTER 1600/2900

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/530,965, filed on May 18, 2000, entitled ALPHA-HYDROXY-AMINO AND -FLUORO DERIVATIVES OF BETA-SULPHONYL HYDROXAMIC ACIDS AS MATRIX METALLOPROTEINASES INHIBITORS.

**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65, Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

**WARNING:** Information on this form may become public. Credit card information should not be included on this form.  
Provide credit card information and authorization on PTO-2038.

1. ☒ Enter the unentered amendment previously filed on January 15, 2003 under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. ☐ Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	19-20* =	0	x \$ _____ =	\$0
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	2-3**=	0	x \$ _____ =	\$0
	MULTIPLE DEPENDENT CLAIMS (If applicable) (37 CFR 1.16(d))			+ \$ _____ =	\$0
				BASIC FEE (37 CFR 1.16)	\$750.00
				Total of above Calculations =	\$750.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				0
	* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent			TOTAL =	\$750.00

6.     Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 16-2435 :
- a.   X   Fees required under 37 CFR 1.16.
- b.   X   Fees required under 37 CFR 1.17.
- c.     Fees required under 37 CFR 1.18.
8.   X   A check in the amount of \$ 750.00 is enclosed.
9.     Payment by credit card. Form PTO-2038 is attached.
10.     Applicant requests suspension of action under 37 CFR 1.103(b) for a period of        months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11.   X   New Attorney Docket Number, if desired 053912.0081  
*[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]*
12. a.     Receipt for Facsimile Transmitted CPA (PTO/SB/29A)
- b.   X   Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13.     Other: \_\_\_\_\_

**NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.**

**10. New Correspondence Address**

    Customer Number or Bar Code Label                      or                          Correspondence address below  
001200  
 (Insert Customer No. or Attach bar code label here)

Name					
Address					
City		State		Zip Code	
Country		Telephone		Fax	

11. Signature of Applicant, Attorney, or Agent Required

Date:

Feb. 14, 2003

Charles M. Cox  
 Charles M. Cox, Reg. No. 29,057